

Minutes of the Regular Business Meeting of the  
Board of Mayor and Aldermen of the City of Kingsport, Tennessee  
Tuesday, August 20, 2013, 7:00 PM  
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding  
Alderman John Clark  
Alderman Colette George  
Vice-Mayor Mike McIntire

Alderman Tom C. Parham  
Alderman Tom Segelhorst  
Alderman Jantry Shupe

City Administration

John G. Campbell, City Manager  
J. Michael Billingsley, City Attorney  
James H. Demming, City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Chris McCartt – Assistant to City Manager.
- II.B. **INVOCATION:** Mickey Rainwater, Sr. Pastor – First Broad Street United Methodist Church.
- III. **ROLL CALL:** By City Recorder Demming. All Present.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
  - 1. Certificate Presentation to Kayla B. Morelock – Dale Phipps.
  - 2. Keep Kingsport Beautiful - Beautification Awards – Robin Cleary.
  - 3. Carpenter's Helper Presentation – Danny Howe.
- V. **APPROVAL OF MINUTES.**

Motion/Second: Parham/McIntire, to approve minutes for the following meetings:

- A. August 5, 2013 Regular Work Session
- B. August 6, 2013 Regular Business Meeting
- C. August 9, 2013 Special Called Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.** None.

A. **PUBLIC COMMENT.** Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

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**B. BUSINESS MATTERS REQUIRING FIRST READING.**

**1. Consideration of a Budget Ordinance Appropriating Available Funds to WA1308 and a Resolution Awarding Bid for Sanitary Sewer Facilities and Waterline Improvements – Hidden Acres/Peppertree Area – Phase I and Authorize the Mayor to Sign All Applicable Documents (AF: 226-2013).**

Motion/Second: Segelhorst/McIntire, to pass:

AN ORDINANCE TO AMEND THE WATER PROJECT FUND BUDGET BY APPROPRIATING FUNDS TO THE HIDDEN ACRES/PEPPERTREE PROJECT FOR THE YEAR ENDING JUNE 30, 2013; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting “aye.”

Motion/Second: McIntire/Segelhorst, to pass:

**Resolution No. 2014-034**, A RESOLUTION AWARDED THE BID FOR HIDDEN ACRES/PEPPERTREE AREA PHASE I SANITARY SEWER FACILITIES AND WATERLINE IMPROVEMENTS TO MERKEL BROTHERS CONSTRUCTION AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting “aye.”

**2. Consideration of a Resolution Accepting a Donation from Appalachian Electric Power and Consideration of an Ordinance to Appropriate the Funds for a Greenbelt Landscaping Project (AF: 227-2013).**

Motion/Second: Segelhorst/Parham, to pass:

**Resolution No. 2014-035**, A RESOLUTION ACCEPTING A DONATION FROM APPALACHIAN ELECTRIC POWER OF A MILL STONE SAVED FROM THE FORMER KINGSFORT MILL

Passed: All present voting “aye.”

Motion/Second: Segelhorst/McIntire, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND BY APPROPRIATING FUNDS RECEIVED FROM APPALACHIAN ELECTRIC POWER AS A DONATION TO PARKS AND RECREATION FOR THE YEAR ENDING JUNE 30, 2014; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting “aye.”

**C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.**

**1. Consideration of an Ordinance to Amend Zoning of Parcels 60.10, 61.20, 63.10, 97, and 97.10, Tax Map 119, Located Off Fordtown Road and Kendrick Creek Road in the 14<sup>th</sup> Civil District of Sullivan County (AF: 214-2013).**

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Motion/Second: McIntire/Clark, to pass:

**ORDINANCE NO. 6340**, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG FORDTOWN ROAD AND TRI-CITIES XING TO TA/C, TOURIST ACCOMMODATION/ COMMERCE DISTRICT IN THE 14<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, George, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

**2. Consideration of Ordinances to Annex/Amend Zoning of the Primrose Annexation (AF: 216-2013).**

Motion/Second: McIntire/Parham, to pass:

**ORDINANCE NO. 6341**, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, EMBRACING THAT CERTAIN PART OF THE 12<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE PRIMROSE ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, George, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

Motion/Second: McIntire/Parham, to pass:

**ORDINANCE NO. 6342**, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG PRIMROSE STREET TO R-1B, RESIDENTIAL DISTRICT IN THE 12<sup>TH</sup> CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, George, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

**D. OTHER BUSINESS.**

**1. Consideration of a Resolution Approving an Equitable Sharing Agreement with the United States Department of Justice Allowing the Kingsport Police Department to Participate in the Federal Asset Forfeiture Program (AF: 224-2013).**

Motion/Second: Segelhorst/George, to pass:

**Resolution No. 2014-036**, A RESOLUTION APPROVING AN EQUITABLE SHARING AND CERTIFICATION AGREEMENT WITH THE UNITED STATES DEPARTMENT OF JUSTICE ALLOWING THE KINGSFORT POLICE DEPARTMENT TO PARTICIPATE IN THE FEDERAL ASSET FORFEITURE PROGRAM; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

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**2. Consideration of a Resolution to Approve the Offer and Authorize the Mayor to Execute All Documents Necessary for Property Acquisition for the Kingsport City School System (AF: 229-2013).**

Motion/Second: Segelhorst/Parham, to pass:

**Resolution No. 2014-037**, A RESOLUTION APPROVING AN OFFER FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 1713 PARK STREET; AUTHORIZING THE MAYOR TO MAKE CERTAIN CHANGES TO THE AGREEMENT, IF NECESSARY; AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

**3. Consideration of a Resolution Authorizing a Right of Entry for Charter Communications and Authorizing the Mayor to Execute the Same (AF: 230-2013).**

Motion/Second: Segelhorst/McIntire, to pass:

**Resolution No. 2014-238**, A RESOLUTION APPROVING A RIGHT OF ENTRY TO CHARTER COMMUNICATION AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION

Passed: All present voting "aye."

**4. Consideration of a Resolution Authorizing the Mayor to Sign Amendment Number One (Contract Time Extension) to the Grant Contract from the State of Tennessee, Department of General Services for Department of Transportation for the Provision of the Design and Installation of Waterline to the I-26 Kingsport Welcome Center (AF: 228-2013).**

Motion/Second: George/Parham, to pass:

**Resolution No. 2014-039**, A RESOLUTION APPROVING AMENDMENT NUMBER ONE TO THE AGREEMENT WITH THE STATE OF TENNESSEE DEPARTMENT OF GENERAL SERVICES FOR A DEPARTMENT OF TRANSPORTATION GRANT FOR THE INTERSTATE 26 WELCOME CENTER WATERLINE; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

Passed: All present voting "aye."

**E. APPOINTMENTS/REAPPOINTMENTS. None.**

**VII. CONSENT AGENDA.**

Motion/Second: McIntire/Parham, to adopt:

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**1. Consideration of an Ordinance to Amend the Code of Ordinances, City of Kingsport, Tennessee, Division 2, Section 98-231(b); and to Fix the Effective Date of This Ordinance (AF: 221-2013).**

Adopt:

**Ordinance No. 6343, AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, DIVISION 2, SECTION 98-231; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE**

Passed on second reading in a roll call vote: Clark, George, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

**VIII. COMMUNICATIONS.**

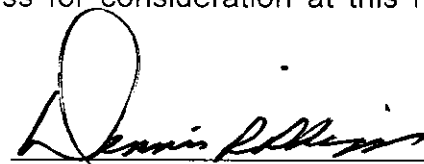
**A. CITY MANAGER.** Mr. Campbell commented on the upcoming football season. He also invited everyone to the gala being held Friday night at 6:00 p.m. at Meadowview for the DB band to raise money for the Rose Bowl.

**B. MAYOR AND BOARD MEMBERS.** Alderman George commented on the ministry provided by First Broad Street Church. Alderman Segelhorst commended the efforts of Carpenter's Helper and congratulated the beautification winners. He also commented on an editorial in the Kingsport Times News recognizing the police department. Alderman Shupe thanked Joyce and Bob Grill and also mentioned there were many churches in the area that do a lot for the community. Alderman Clark congratulated Kingsport City Schools for recent state test results in math and science. Alderman Parham commended public works staff for the quick turn-around on a mowing complaint received at the last meeting. Vice-Mayor McIntire commented on the public/private church partnership, noting it was a blessing to all.

**C. VISITORS.** Ms. Bobbie Phillips thanked the city for the Farmer's Market venue, noting the Netherland Inn Association recently held a successful event there. Ms. Joyce Grills, owner of The Haggie Shop in downtown, thanked the city for the help rendered after the recent flooding. Ms. Barbara Brown commented on the housing market and offered support of the Grills' downtown business upcoming milestone of 50 years. Mr. Greg DePriest commented on the Christ Fellowship annexation.

**IX. ADJOURN.** Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:04 p.m.

  
ANGELA MARSHALL  
Deputy City Recorder

  
DENNIS R. PHILLIPS  
Mayor